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From: Donaldson, Guy
Sent: Mon 8/14/2017 5:21:12 PM
Subject: FW: 16-1314 Samuel Masias, et al v. EPA, et al "Per Curiam Order Filed (Special Panel)" (EPA-81FR45039)
[SO2D CADC Order.pdf](#)

Things are heating up on the challenge to the Round 2 designation of Luminant.

From: Carrillo, Andrea
Sent: Monday, August 14, 2017 11:53 AM
To: Olszewski, Joshua <olszewski.joshua@epa.gov>; Donaldson, Guy <Donaldson.Guy@epa.gov>; Smith, Suzanne <Smith.Suzanne@epa.gov>
Cc: Thrift, Mike <thrift.mike@epa.gov>
Subject: FW: 16-1314 Samuel Masias, et al v. EPA, et al "Per Curiam Order Filed (Special Panel)" (EPA-81FR45039)

Mea culpa, I completely spaced sending you all notice of this with all the SO2 Round 3 designations mad scramble. We had requested another 60 day extension on motions to govern in the DC Circuit for Round 2 designations to mid-Sept., however the DC Circuit instead gave us a deadline of Sept. 8 to file schedules and briefing format. Timing is obviously not ideal right now, but we are on Sarah and Mandy's calendars for August 23 at 10 am to figure out how to proceed in litigation with each petition. OAQPS is drafting briefing materials. That includes the Texas areas, which will also include discussion on the outstanding Luminant reconsideration petition (which we have previously briefed).

FYI, we are also seeking approval for DOJ to file a 28(j) letter in the 5th Circuit of the D.C. Circuit's scheduling order today.

Thanks,

Andrea Carrillo

Attorney-Advisor

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From: Maghamfar, Dustin (ENRD) [<mailto:Dustin.Maghamfar@usdoj.gov>]
Sent: Wednesday, August 09, 2017 3:04 PM
To: Carrillo, Andrea <Carrillo.Andrea@epa.gov>; Thrift, Mike <thrift.mike@epa.gov>
Subject: FW: 16-1314 Samuel Masias, et al v. EPA, et al "Per Curiam Order Filed (Special Panel)" (EPA-81FR45039)

From: ecfnoticing@cadc.uscourts.gov [<mailto:ecfnoticing@cadc.uscourts.gov>]
Sent: Wednesday, August 09, 2017 2:42 PM
To: Maghamfar, Dustin (ENRD) <DMaghamfar@ENRD.USDOJ.GOV>
Subject: 16-1314 Samuel Masias, et al v. EPA, et al "Per Curiam Order Filed (Special Panel)" (EPA-81FR45039)

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United States Court of Appeals for District of Columbia Circuit

Notice of Docket Activity

The following transaction was entered on 08/09/2017 at 2:40:35 PM EDT and filed on 08/09/2017

Case Name: Samuel Masias, et al v. EPA, et al
Case Number: 16-1314
Document(s): Document(s)

Docket Text:

PER CURIAM ORDER [1687985] directing parties to submit proposed schedules and formats for the briefing of these cases by September 8, 2017. Before Judges: Tatel and Millett. [16-1314, 16-1318, 16-1384, 16-1424, 17-1053, 17-1055, 17-1173, 17-1174]

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